

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, SC 29403-5107
and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N SAC-2014-00625

June 4, 2018

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Mr. Andy Smith
EYC Companies
PO Box 254
Folly Beach, South Carolina 29439

for a permit to construct a multi-family development in freshwater wetlands near the

Stono River

on the west side of River Road north of the intersection with Maybank Highway on Johns Island, Charleston County, South Carolina (Latitude: 32.7451 °N, Longitude: -80.0424 °W). Quad Sheet: Legareville.

In order to give all interested parties an opportunity to express their views

N O T I C E

is hereby given that written statements regarding the proposed work will be received by the **Corps** until

15 Days from the Date of this Notice,

and **SCDHEC** will receive written statements regarding the proposed work until

30 Days from the Date of this Notice

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing a multi-family development. In detail the applicant is proposing to impact 0.842 acre of freshwater wetlands for three road crossings associated with the proposed development. The applicant has proposed to mitigate for impacts to

wetlands and/or waters of the United States by purchasing 9.4 wetland credits from the Congaree Carton Mitigation Bank. According to the applicant, the project purpose is to construct a multi-family residential development on Johns Island that will meet the rising multi-family housing demand in the Charleston area.

NOTE: This public notice and associated plans are available on the Corps' website at:
<http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.842 acre of freshwater wetlands upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined, based on the most recently available information that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity.

In accordance with Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(1)), and has initially determined that historic properties, are present; moreover, these historic properties may be affected by the undertaking. This public notice serves to notify the State Historic Preservation Office that the Corps plans to initiate Section 106 consultation on these historic properties. Individuals or groups who would like to be consulting parties for the purposes of the NHPA should make such a request to the Corps in writing within 30 days of this public notice. To ensure that other historic properties that the District Engineer is not aware of

June 4, 2018

are not overlooked, this public notice also serves as a request to the State Historic Preservation Office and other interested parties to provide any information they may have with regard to historic properties.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

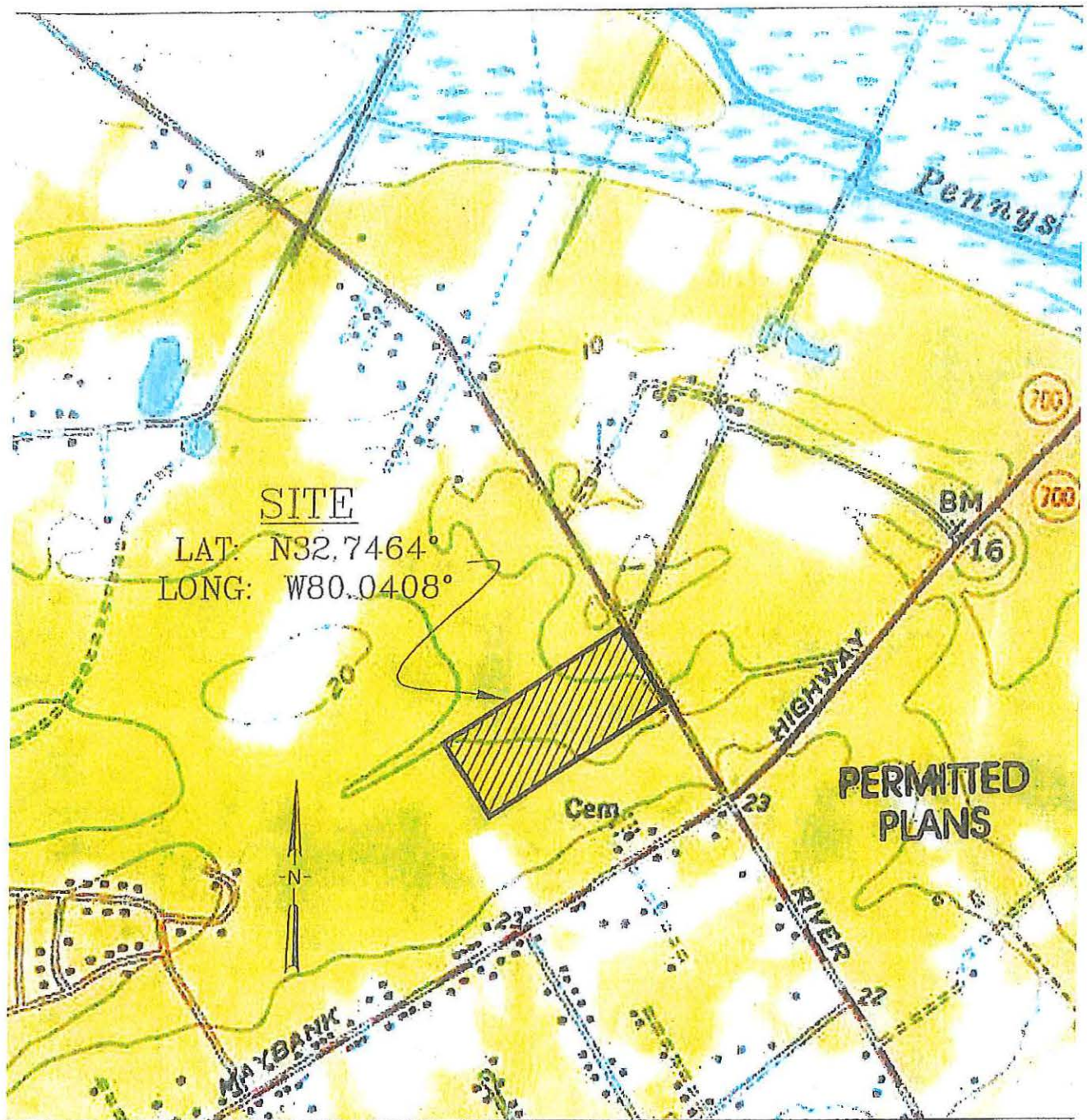
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps cannot undertake to adjudicate rival claims.

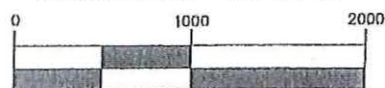
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, SC 29403-5107**

If there are any questions concerning this public notice, please contact Chelsea B. Fannin, Project Manager, at (843) 329-8038 or toll free at 1-866-329-8187.



GRAPHIC SCALE



(IN FEET)

1 inch =1000 ft.

WETLAND FILL PERMIT

RIVER ROAD

TMS No. 312-00-00-124 & 139

CHARLESTON COUNTY

SOUTH CAROLINA

TITLE: FOREST AT FENWICK PHASE 2 (F.K.A MAYBANK CROSSING)

PROJECT LOCATION: LAT: N32.7464° LONG: W80.0408°

APPLICANT: EYC COMPANIES, LLC

AUTHORIZED AGENT: NEWKIRK ENVIRONMENTAL

APPLICATION No.:

DATE: 05/14/2018

SHREET 1 OF 3

SWYGERT COMPANY
TMS NO. 312-00-00-124

WETLAND FILL
AREA 1:
0.310 AC
VOLUME 1209 CY

(7) 50 LF
18" Ø RCP

SWYGERT COMPANY
TMS NO. 312-00-00-124

WETLAND FILL
AREA 3:
0.480 AC
VOLUME 1984 CY

(7) 48 LF 18" Ø RCP

ST. JOHNS WATER COMPANY
TMS NO. 312-00-00-124

"FUTURE"
NORTHERN
"PITCH FORK"
ROAD

HISTORIC
FENWICK
HALL
GATE

UPLAND "B"
0.18 AC

UPLAND "C"
0.06 AC

STARDUST LANE, LLC
TMS NO. 312-00-00-124

GRAND TREE
LOCATIONS

(7) 56 LF 18" Ø
RCP

HOUSING AUTHORITY
CITY OF CHARLESTON
TMS NO. 312-00-00-124

WETLAND FILL
AREA 2:
0.052 AC
VOLUME 220 CY

LOT B
RIVER ROAD ASSOCIATES
TMS NO. 312-00-00-124
LOT TOTAL ACRES
0.785 WETLAND ACRES
0.785 UPLAND ACRES

GRAND TREE
LOCATION

UPLAND AREA	
A	4.22 AC
B	0.18 AC
C	0.06 AC
D	3.79 AC
E	2.14 AC
TOTAL	10.39 AC

WETLAND AREA	
A	5.46 AC
B	4.02 AC
TOTAL	9.48 AC

TOTAL AREA	
UPLAND	10.39 AC
WETLAND	9.48 AC
TOTAL	19.87 AC

WETLAND FILL TABULATION	
AREA 1	0.310 AC
AREA 2	0.052 AC
AREA 3	0.480 AC
TOTAL	0.842 AC

WETLAND FILL PERMIT

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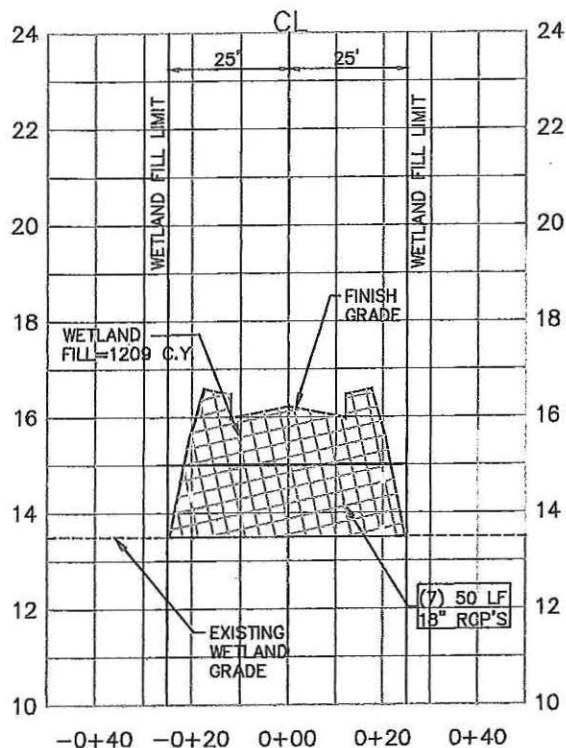
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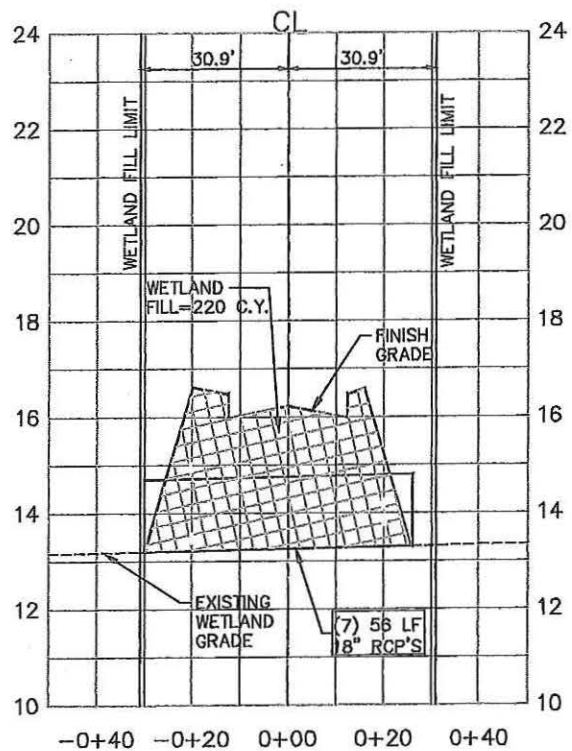
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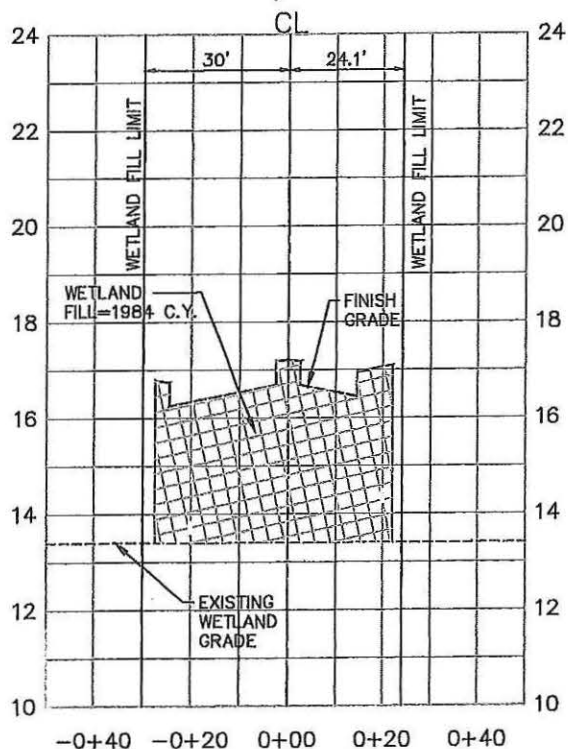
SHEET 2 OF 3



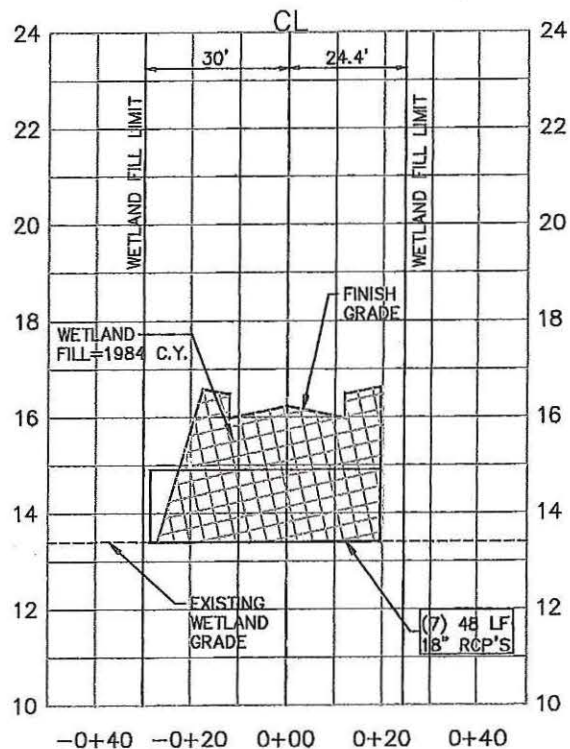
SECTION A-A
SCALE: H:1"=40' V: 1"=4'



SECTION B-B
SCALE: H:1"=40' V: 1"=4'



SECTION C1-C1
SCALE: H:1"=40' V: 1"=4'



SECTION C2-C2
SCALE: H:1"=40' V: 1"=4'

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